REMARKS

Claims 1-19 are pending in the application. Claims 1-18 are allowed.

Applicant has amended independent claims 1, 18 and 19 to delete therefrom the limitation "each of the plurality of channels carrying different data", because it is believed that these claims as herein amended are still patentable over Shou. The reason why that limitation was added previously in these claims was that the difference between the term "path" and the term "channel" would be clarified. The prior art failed to teach or suggest the function of the path detector of the present invention ("used in a time-division manner so as to generate timing signals for the plurality of channels" and "according to a correlation between an input spread signal... and a spread code corresponding to each of the plurality of channels") as claimed.

It is believed that this failure of the prior art is the reason for allowance of claims 1-18.

The "multi-path" in Shou "is realized by an identical code. In the present invention, contrary to Shou, "multi-channel" is realized by using a plurality of different codes. It is impossible to suggest that "multi-path" and "multi-channel" are the same.

Independent claims 4, 5, 6 and 13 are also amended to replace the term "an input signal including the spread signals" with the term "an input spread signal".

It is respectfully submitted that pending claims 1-18 are allowable over the art.

Claim 19

Claim 19 is rejected under 35 U.S.C. § 102 (e) as being anticipated by Kawabe et al. (6,377,613).

It is respectfully submitted Kawabe et al. (Kawabe) is an improper reference under 35 U.S.C. § 102 (e). Kawabe has a U.S. filing date of October 22, 1999 whereas the present

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application has a U.S. filing date of May 28, 1999. Therefore the present invention was filed in the U.S. prior to the cited reference and is not a valid reference.

Further, the Examiner referred to column 5, lines 16-18 and Fig. 10 of Kawabe as teaching instructing means for instructing a phase of each spread code used for dispreading each of the spread signals transmitted over the plurality of channels. Specifically, the Examiner states the code generator 112 (1010) is inherently instructed to output a spreading code with a phrase adjusted to each transmitted timing over each despreader.

In Kawabe et al. the code operator 112 outputs a spreading code with a phase adjusted to each transmitted timing, unlike Kawabe, instructing means of the present invention as set forth in claim 19, instructs a phase of each spread code used for dispreading each of the spread signals transmitted over the plurality of channels.

It is respectfully submitted that claim 19 is also allowable over the art.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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